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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,450	07/03/2001	Elizabeth L. Lee	16762.216-US00	8348

7590 01/27/2005  
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EXAMINER

ZAND, KAMBIZ

ART UNIT PAPER NUMBER

2132

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/897,450

Applicant(s)

LEE ET AL.

Examiner

Kambiz Zand

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 16-21, 34, 38, 39, 52-57 and 70 is/are rejected.
- 7) ☒ Claim(s) 4-15, 22-33, 35-37, 40-51, 58-69 and 71-73 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/02/07/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. **Claims 1-73** have been examined.

### **Drawings**

2. **Figures 1-3** should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings is requested.

### ***Information Disclosure Statement PTO-1449***

3. The Information Disclosure Statement submitted by applicant on 02/21/2002 and 07/18/2003 has been considered. Please see attached PTO-1449.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

Art Unit: 2132

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-3, 16-21, 34, 38, 39, 52-57 and 70** are rejected under 35 U.S.C. 102(e) as being anticipated by Moulton et al. (6, 826,711 B2).

**As per claims 1, 20, 38 and 56** Moulton et al. (6, 826,711 B2) teach a method, system, apparatus for performing cryptographic validity services, comprising: a Distributed Storage Array comprising at least one Storage Device; and a Distributed Processor Array coupled to the Distributed Storage Array, the Distributed Processor Array comprising at least one Processor, and the Distributed Storage Array storing a Program for controlling the Distributed Processor Array; and the Distributed Processor Array is operative with the Program to receive a Validation Request from a Relying Customer Interface; formulate a Query responsive to the Validation Request; transmit the Query to a Relying Participant Interface; receive a Query Response from the Relying Participant Interface; formulate a Validation Response responsive to the Query Response; and transmit the Validation Response to the Relying Customer Interface (see abstract; fig.1-14 and associated text; col.5 to col.15, line13).

**As per claims 2, 21, 39 and 57** Moulton et al. (6, 826,711 B2) teach the method, the apparatus and the system for performing cryptographic validity services of claim 1, wherein the Validation Response is further responsive to a Policy Engine (see col.11,

Art Unit: 2132

lines 29-51 where the operating system discussed do have security policy engine inherent in their application such as id authentication for access to resources, etc..).

**As per claim 3** Moulton et al. (6, 826,711 B2) teach the method, the apparatus and the system for performing cryptographic validity services of claim 1, wherein the Program comprises a Relying Customer Service Engine in communication with a Relying Participant Service Engine ( see fig.1-2 and 4 and associated text; Applicant also have admitted that fig.1-2 are prior art in the specification).

**As per claims 16, 34, 52 and 70** Moulton et al. (6, 826,711 B2) a method, apparatus and a system for performing cryptographic validity services, comprising: a Distributed Storage Array comprising at least one Storage Device; and a Distributed Processor Array coupled to the Distributed Storage Array, the Distributed Processor Array comprising at least one Processor, and the Distributed Storage Array storing a Program for controlling the Distributed Processor Array; and the Distributed Processor Array is operative with the Program to receive a Validation Request from a Communication Channel; formulate a Query responsive to the Validation Request; transmit the Query to a Relying Participant Interface; receive a Query Response from the Relying Participant Interface; formulate a Validation Response responsive to the Query Response; and transmit the Validation Response to the Communication Channel (see abstract; fig.1-14 and associated text; col.5 to col.15, line13).

Art Unit: 2132

**As per claims 18 and 54** Moulton et al. (6, 826,711 B2) a method, the apparatus and the system for performing cryptographic validity services of claim 17, wherein the Relying Participant Service Engine comprises a Policy Engine and the Validation Response is further responsive to the Policy Engine (see col.11, lines 29-51 where the operating system discussed do have security policy engine inherent in their application such as id authentication for access to resources, etc..).

**As per claims 19 and 55** Moulton et al. (6, 826,711 B2) a method, the apparatus and the system for performing cryptographic validity services of claim 17, wherein the Distributed Processor Array is operative with the Relying Participant Service Engine to perform consistency checking on the Validation Request (see col.4, lines 24-28 where it dynamically checks the storage validation for addition or modification).

**As per claim 53** Moulton et al. (6, 826,711 B2) the apparatus for performing cryptographic validity services of claim 52, further comprising a Relying Participant Service Engine, wherein the Relying Participant Service Engine comprises the Validation Request Receiver, the Query Formulator, the Query Transmitter, the Query Response Receiver, the Validation Response Formulator, and the Validation Response Transmitter (col.5 to col.15, line13).

***Allowable Subject Matter***

6. **Claims 4-15, 22-33, 35-37, 40-51, 58-69 and 71-73** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. US (6,065,120 A) teach method and system for self-provisioning a rendezvous to ensure secure access to information in a database from multiple devices.

U.S. Patent No. US (6,654,831 B1) teach using multiple controllers together to create data spans.

U.S. Patent No. US (6,754,214 B1) teach communication network having packetized security codes.

U.S. Patent No. US (6,636,892 B1) teach method for conducting a contest using a network.

U.S. Patent No. US (6,028,933 A) teach encrypting method and apparatus enabling multiple access for multiple services.

U.S. Patent No. US (6,618,789 B1) teach security memory card.

Art Unit: 2132

U.S. Patent No. US (5,677,952) teach method to protect information on a computer storage device.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (571) 272-3811. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

01/22/05